

TOWN OF TRURO  
BOARD OF SELECTMEN  
MEETING OF WEDNESDAY, MARCH 2, 2005

The Truro Board of Selectmen met for their weekly session on Wednesday, March 2, 2005 at 6:00 p.m. at the Truro Town Hall, 24 Town Hall Road, Truro. In attendance were: Chairman Alfred Gaechter, Vice-Chairman Christopher R. Lucy, Clerk Gary Palmer, Paul J. Asher-Best, Town Administrator Pamela Nolan, Assistant Town Administrator John J. Sanguinet, Administrative Secretary Julie DuPree, Art Hultin, Janice Parkey, Norman Edinberg, John Lundborn, Jim Kyed, Curtis Hartman, Paul Morris, Don Mack, Maggie Downey and David Joy of the Cape Codder. Lloyd F. Rose was absent.

Mr. Gaechter convened the meeting at 6:03 p.m.

**Minutes: Mr. Palmer moved to approve the minutes of February 16, 2005 as presented. Mr. Asher-Best seconded it. Vote: 4-0, unanimous.**

**Mr. Palmer moved to approve the minutes of the Executive Session of February 16, 2005 and to hold them in abeyance. Mr. Asher-Best seconded it. Vote: 4-0, unanimous.**

**Minutes: Mr. Palmer moved to approve the minutes of February 23, 2005 as presented. Mr. Asher-Best seconded it. Vote: 4-0, unanimous.**

**Public Comment:** There was none.

**Curb Cut requests:**

**Rothchild, Castle Road:** This request would provide access for a new sub-division which has been approved by the Planning Board. **Mr. Asher-Best moved to approve the request. Mr. Gaechter seconded it. Vote: 4-0, unanimous.**

**Perry, Extension of way off Perry's Road:** This request would provide access for a new sub-division. Mr. Sanguinet raised the concern that this curb cut was right next to another road, and he suggested that the Police Chief look at it because it may be a public safety issue. **Mr. Palmer moved to continue discussion until input from the Police Department is obtained. Mr. Gaechter seconded it.** He also wanted assurance that the Planning Board has approved this sub-division. **Vote: 4-0, unanimous.**

**D'Andrea, 595 Shore Road:** This request is for a driveway for a new single family residence. **Mr. Palmer moved to approve the request. Mr. Asher-Best seconded it. Vote: 4-0, unanimous.**

**Cahoon Museum of American Art request:** Ms. Nickerson, Director of the Cahoon Museum in Cotuit has requested that the Town loan them the painting by Peter Hooven for an exhibit of municipally owned art work. Ms. Nolan explained that the painting was given to the town by Raymond Cabral in 1977. Mr. Morris added that Mr. Cabral had paid \$10k for the painting and at the time of his donation to the town, he had asked that a plaque be put on the painting to say who donated it. This was never done, and Mr. Morris thought it would be fitting to do so now.

Mr. Gaechter directed Ms. Nolan to look into a plaque and to also obtain a write-up of the history of the painting for display. **Mr. Palmer moved to approve the request from the Cahoon Museum for the loan of the painting and that the town initiate a plaque stating the donor, and that a letter be sent so informing the donor. Mr. Asher-Best seconded it. Vote: 4-0, unanimous.** Mr. Gaechter directed Ms. Nolan to insure the painting for between \$40-50k.

**Cape Light Compact presentation:** Mr. Mack and Ms. Downey gave a very informative presentation on the Cape Light Compact, focusing on the status of their Power Supply Program, their involvement with municipal/community wind projects, and outlining their energy conservation goals and energy efficiency programs.

**Local Comprehensive Plan (LCP) presentation:** Mr. Hartman presented the BOS with the revised working draft of the LCP; it has been extensively revised from the last draft. He gave the BOS an overview of the entire process the LCPC used, first referring to the 2002 update and the original LCP, and then complying with all the requirements of the CCC, and lastly going to all applicable multi-member bodies and Town Departments for their input. They have also held two public hearings. As a result, they have a document that is widely endorsed. He noted that it is not a blueprint for the future, but a guideline with suggestions. It was important to the Committee that they made sure there is a place in Truro for a working middle class. They hope to go to Town Meeting with strong support and endorsement from the BOS, and that the Board will also act to implement it after Town Meeting accepts it. Ms. Parkey stated that it was in their Charge from the BOS to also act as an implementation committee, so they were not going to let it sit on a shelf, but would see that it was implemented. Mr. Hartman told the Board that after Town Meeting passes the LCP, it goes to the CCC for their approval and certification. After certification, it goes back to Town Meeting again in one year's time. Mr. Gaechter suggested that the recommendation of all the multi-member bodies be printed on the Warrant.

**Interview for vacancy:** Ms. Howard has applied to fill a vacancy on the Commission on Disabilities. She has served as the Chair on this Commission previously, and has served as an unofficial resource for the town on disability issues once she was no longer on the Commission. She is concerned with the lack of enforcement in Town, and now that she has a spouse in a wheelchair, it has come home to her just how important this all is. **Mr. Gaechter moved to appoint Ms. Howard to the Commission on Disabilities. Mr. Asher-Best seconded it. Vote: 4-0, unanimous.** Ms. Howard suggested that a wheelchair be made available at the door at Town Meeting. The Board agreed that was a good idea, and Mr. Gaechter directed the Town Administrator to see that two chairs were made available.

**Resignation letter:** The Board received a resignation letter from Mr. and Ms. Snell from serving on the Beach Commission. **Mr. Asher-Best moved to accept their resignation and that the vacancies are advertised and a letter of thanks be sent to them. Mr. Palmer seconded it. Vote: 4-0, unanimous.**

**Town Administrator's Report:**

- Received a request from Mr. Knowles that the BOS approve the fee schedule for the golf

course. The GCAC, at his recommendation, voted to keep the rates the same as in 2004. He also submitted the tournament schedule for the BOS to see. **Mr. Palmer moved to approve the golf fees as recommended by the Golf Course Manager. Mr. Asher-Best seconded it. Vote: 4-0, unanimous.** Mr. Asher-Best questioned when the Beach fees would come before the BOS.

- Received notice that the LCAA has obtained tax exempt status retroactive to 1947.
- Reported that the first interviews for the Conservation/Health Agent were held today and there were some good candidates. They will begin the interview process for the Office Assistant position soon.
- The Town Accountant attended the MEMA applicant briefing in Hyannis today.
- The Harbor Master has asked to attend his training in the fall rather than this spring; Ms. Nolan has granted his request.
- Reviewed meeting invitations received.
- Reported that she received a letter of resignation from Recreation Director Graham Whitelaw. She will be meeting with him tomorrow to discuss plans for the summer programs. The job description for this position is being updated, and the position will be advertised next week. Mr. Gaechter directed Ms. Nolan to meet with the Assistant Director regarding his on-going role.
- Received two quotes for pollution liability insurance for the golf course. This is mandated by the NPS. The cheapest quote is from ACE Environmental for \$11,900. for a one-year term. Previously, we had a three-year policy for \$10k. That company has gone bankrupt. The other quote is from AIG Environmental, and is for a three-year term at \$23,419.00. Ms. Nolan would like to negotiate with the NPS to try to reduce this cost. She recommended that the BOS spend the \$11,900. for a one-year policy, and then see what negotiations might do. Mr. Gaechter thought that since we have to have this insurance, why not sign for three years at the lower rate. Ms. Nolan said that the premium has to be paid for up front, and there is not enough money in that account. A transfer would be needed. **Mr. Gaechter moved to authorize the purchase of the one-year policy with ACE after investigating if we can find the funding to purchase the three-year policy with AIG. Mr. Asher-Best seconded it. Vote: 4-0, unanimous.**

#### **Selectmen/Liaison Reports: (actionable items)**

- Lucy:** -Reported that the PHC complained that one of the lights at the parking lot (1st one on the left) is blinking. Mr. Sanguinet will see that it is repaired.
- Requested that notification to multi-member bodies that their terms are expiring this June 30<sup>th</sup> be done in a timely manner, and that they are reminded that they must submit another Application to Serve if they wish to be reappointed. Ms. DuPree will send the notices out at the end of April.
- Gaechter:** -Asked Ms. Nolan to find out what piece of property Mr. Ziller was referring to in his letter to the BOS.
- The public hearings on the General Bylaw revision and the CPA bylaw have been held. These will be presented to the BOS, and should be placed on the agenda for March 23<sup>rd</sup>.
- Palmer:** -PLOG voted unanimously that the permitting process for a new water source at North Union Field be initiated and to install gauges at the Little Pamet. **Mr. Palmer moved to**

**initiate the permitting process for a new water source at North Union Field as per DEP's BRS WP 17 and to immediately install staff gauges at the Little Pamet to support the further examination related to C-5. Mr. Gaechter seconded it.** Under discussion, Mr. Asher-Best asked for assurance that this did not commit the use of the land to a well. He was told that this would just see if it is possible. It is a collection of data. **Vote: 4-0, unanimous.**

**Asher-Best:** -Asked that the review of the BOS goals be put on a future agenda. He wants to go forward with the consideration of a new Town Counsel. He spoke to the two premier municipal law firms in the State and they are willing to make a presentation to the BOS at no cost to the Town. Mr. Gaechter told him to set it up.

-He spoke to the BOA regarding Town Counsel's opinion letter on town employees serving on multi-member bodies. Ms. Maloney will stay on as an alternate to the BOA through the busy season. Mr. Asher-Best has someone else willing to serve who is waiting in the wings. The vacancy will be advertised once Ms. Maloney submits her resignation. The Board discussed whether to appoint Mr. Sanguinet to the Energy Committee. Mr. Palmer felt that his position was an extension of the Town Administrator and it would not be proper.

**At 8:00 p.m. Mr. Gaechter moved to convene in Executive Session under the provisions of MGL Chapter 39, Section 23B to discuss strategy with respect to contractual matters, negotiations and litigation and to not reconvene in Open Session. Roll Call Vote: Asher-Best, aye; Palmer, aye; Gaechter, aye; Lucy, aye. 4-0, unanimous.**

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Alfred Gaechter, Chairman

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Christopher R. Lucy, Vice-Chairman

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Gary Palmer, Clerk

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Paul Asher-Best

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